

### AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

1. **(Currently Amended)** A system for treating bone fractures comprising:  
a delivery catheter;  
an expandable implant device for occupying space within bones, releasably carried by the delivery catheter; and  
an inflatable means of expanding the expandable implant device, the inflatable means of expanding configured for removal from the bone upon expansion of the expandable implant device;  
whereby the ~~expanded~~ expandable implant device mechanically is configured to fixate the fracture after the delivery catheter and the inflatable means of expanding the expandable implant device are removed from the bone, leaving the expandable implant within the bone.
2. **(Currently Amended)** The system of claim 1 wherein the inflatable means of expanding the expandable implant device is an inflatable portion of the delivery catheter configured for removal from the bone after expanding the expandable implant device.
3. (Withdrawn) The device system of claim 1 wherein the means of expanding the device is an axially compressed elastomeric grommet which expands radially when compressed
4. (Withdrawn) The device system of claim 1 wherein the means of expanding the device is the inherent spring force contained within the structure of the expandable device
5. (Withdrawn) The device system of claim 1 wherein the means of expansion is self-contained within the expandable device
6. (Withdrawn) The device system of claim 5, wherein the means of expansion is a relative movement of the opposing ends of the device
7. (Withdrawn) The device system of claim 1, wherein the expanded device is substantially tubular
8. (Withdrawn) The device system of claim 1, wherein the expanded device has a substantially cylindrical cross-section
9. **(Currently Amended)** The system of claim 1, wherein the expanded implant device joins separated bone segments.

10. **(Currently Amended)** A method for treating bone fractures comprising;  
providing an expandable implant device for occupying space within a bone segment;  
creating an access hole in bone;  
disposing the expandable implant device upon a delivery device, the delivery device comprising a balloon;  
inserting the expandable implant device through the access hole within the bone segment;  
advancing the expandable implant device to a desired location within the bone segment;  
inflating the balloon in order to cause expansion of the expandable implant device;  
removing the balloon from the bone; and  
hardening a substance within the bone segment after the removing the balloon step.
11. (Withdrawn) A method of claim 10, to further include deactivating the delivery device and removing from the bone segment
12. (Cancelled)
13. (Cancelled)
14. (Withdrawn) A method of claim 10, wherein the expandable devices are generally tubular in structure and plastically deformed in order to maintain expanded diameter
15. (Withdrawn) A method of claim 10, wherein the expandable devices are generally tubular in structure and are mechanically deformed
16. **(Currently Amended)** A system for treating bones comprising;  
an expandable tubular implant device configured to expand from a reduced configuration to an expanded configuration, the expanded configuration comprising a greater diameter and a shorter axial length than the reduced configuration,  
a delivery device comprising a balloon, the balloon having an exterior surface;  
said expandable tubular implant device removably attached to the exterior surface of the balloon; whereby the balloon expands the tubular implant device at the treatment

site from the reduced configuration to the expanded configuration, whereby the balloon is configured to be removed after leaving the expanded tubular implant device in place to span bone segments.

17. **(Currently Amended)** The system as in claim 16 wherein said expandable tubular implant device comprises a tubular mesh.

18. (Withdrawn) The device as in claim 16 wherein said device has multiple splines.

19. (Withdrawn) The device as in claim 16 wherein said device is a coil.

20. (Withdrawn) The device as in claim 16 wherein said device is a slotted tube.

21. (Withdrawn) The device as in claim 16 wherein electrical energy is delivered

22. (Withdrawn) The device as in claim 16 wherein the device has a coating

23. (Withdrawn) A device for treating fractured bones comprising;

a self-expandable tubular device;

a delivery device;

tubular device within the delivery device;

said device combination advanced to desired location;

said tubular device released from delivery device at desired location; whereby the tubular device expands at treatment site, whereby the expanded tubular device joins and fixates bone fracture.

24. (Withdrawn) A device as in claim 23, wherein the stress applied to the bone from the radially expanded device enhances healing of the fracture.

25. **(Currently Amended)** A method of claim 10 wherein the expandable implant device spans a bone fracture.

26. (Previously Presented) A method of claim 25 wherein the bone fracture comprises a compound fracture.

27. (Previously Presented) A method of claim 25 wherein the bone fracture comprises a compression fracture.